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DEC 21 2004

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In re Application of:
Small et al. : DECISION ON PETITION TO
Serial No.: 09/692,077 : WITHDRAW THE HOLDING
Filed: October 19, 2000 : OF ABANDONMENT
Attorney Docket No.: 13105 :

This is in response to applicants' petition under 37 CFR § 1.181(a) filed on October 28, 2004, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed March 11, 2004.

A review of the file history shows that the examiner mailed a non-final Office action to applicants on March 11, 2004, setting a three-month statutory time period for reply. On September 22, 2004, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a response to the Office action was timely filed on September 13, 2004 as evidenced by a copy of the date-stamped receipt card. In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED**. The application is restored to pending status with the mailing date of this decision and will be forwarded to the examiner for consideration of the response of September 13, 2004.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Marianne C. Seidel Jr.
Jasemine C. Chambers
Director, Technology Center 1600